<u>ORDER</u>

Before the Court are the Findings, Conclusions and Recommendation of the United States Magistrate Judge, filed June 13, 2005, and Petitioner's Objection thereto, filed June 20, 2005.

The Court has made the required independent review of the pleadings, files, and records in this case; the Findings and Conclusions of the Magistrate Judge and Petitioner's Objections. Having done so, the Court is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are **ADOPTED** as the Findings and Conclusions of the Court, and Petitioner's Objections are **OVERRULED**.

Judgment will be entered accordingly.

SO ORDERED.

DATED: June 3 f , 2005

BAREFOOT SANDERS, SENIOR JUDGE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS